

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
Food and Nutrition Services
Child and Adult Care Food Program

Guidance Memorandum 13A - For Child and Adult Care Food Program Sponsoring Organizations and Independent Centers (Adult Care Component)

Topic: Purchase of Meals

Date: October 2012

In accordance with CACFP regulations, adult day care agencies may choose to purchase meals from vendors such as public or private schools, other adult day care centers, restaurants, nursing homes, hospitals or food service management companies. Specific procedures and contracts are used when negotiating the purchase of these meals to ensure

- open and free competition in the purchase of products or services,
- that the agency receives the best product or service at the lowest price, and
- CACFP meal pattern requirements for components and amounts are met.

The adult day care institutions have the responsibility of insuring that CACFP regulations are met when meals are provided by an outside source. The vendor is responsible for maintaining production records showing the quantity of food prepared and/or delivery records showing amounts of food supplied daily in accordance with the negotiated agreement and the requirements listed in *Guidance Memorandum 9A and 12A*.

During a program review by DPI consultants, agencies that purchase meals from a vendor must be prepared to show how they monitor the delivered meals to ensure they are receiving the required quantities of food from the vendor. For example, routinely examining vendor's production records, requesting CN label information or comparable manufacturer's information for commercially prepared combination items like chicken nuggets and fish sticks, verifying size and number of portions received, etc.

Federal procurement requirements are specified in *Guidance Memorandum 4: Procurement Requirements for the Purchase of Food, Supplies, and Services*. The procurement practices required for the purchase of meals from a vendor are summarized on page 4 of *Guidance Memorandum 4*.

Two documents included in this guidance memorandum will assist the sponsoring organization and the vendor to meet the CACFP requirements. This information should be given to prospective vendors and discussed prior to the signing of an agreement.

- **VENDOR AGREEMENT TO PROVIDE MEALS/SNACKS** is used to specify details of the arrangement to provide meals and/or snacks and to hold each party responsible for their respective parts of the agreement. The agreed upon price for services to be rendered must be delineated by meal type.
- **ATTACHMENT A** shows current CACFP meal pattern requirements for adults. It must be part of the signed vendor agreement.

If the total cost of the meals/snacks to be purchased per year is estimated to be less than \$150,000, complete a record sheet showing that at least three different possible vendors were contacted in an attempt to obtain a bid. See page 2 of this Guidance Memorandum for a sample "Record of Vendors Contacted" form that can be used to document these contacts. A copy of the record of contacts must be submitted to the Department of Public Instruction (DPI)/ Community Nutrition Team, along with the completed, signed agreement whenever a new vendor contract is executed. It is not necessary to obtain competitive price quotations from three vendors when meals are purchased from a public or private nonprofit school. Furthermore, it is not necessary to obtain competitive price quotations from three vendors when an existing contract is renewed or updated for an additional period of time. All contracts to purchase meals must be current by clearly showing the most recently agreed upon prices and services as well as a specified beginning and ending date.

If the total cost of the meals/snacks for a year is projected to be \$150,000 or more, the procurement procedures for either a Request for Proposal (RFP) or an Invitation to Bid (ITB) outlined in *Guidance Memorandum 4: Procurement Requirements for the Purchase of Food, Supplies, and Services*, must be followed.

**CHILD AND ADULT CARE FOOD PROGRAM
RECORD OF VENDORS CONTACTED (Under \$150,000)**

Name of Vendor	Date of Contact	Specifications (menu, delivery, packaging, time period, number of meals, etc.)	Bid Price	Bid Accepted
1.				
2.				
3.				